

From: Frank Field
To: Microsoft ATR
Date: 1/23/02 7:13am
Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division
US Department of Justice
601 D Street NW
Suite 1200
Washington,DC, 20530-0001

Dear Ms. Hesse:

I am writing to add my voice to the others OPPOSED to the proposed settlement of the Microsoft antitrust suit. As currently constituted, this settlement fails to establish a basis for competition in the marketplace for PC software. More importantly, elements of the language suggest that the settlement will allow Microsoft to employ several predatory practices to illegally defend its market share - to wit, the apparent limitation of the various "openness" decrees to commercial concerns only.

The Open Source software community has demonstrated startling innovation in the face of past predatory behavior by the defendant in this case, largely through the open standards that have been developed by that community. The consent decree does nothing to restrict Microsoft's "embrace and extend" strategy, which will cripple innovation in the very sector that our economy depends upon for its success today.

Because of this and other well-documented elements of the proposed settlement which fail to ensure a competitive market, I strongly resist the terms of the current settlement, and implore the Department of Justice to reopen the settlement talks.

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